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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

WILLIAM P. APPS

Group Art Unit: 3727

Examiner: S. Castellano

Serial No.: 09/891,948

Filed: June 25, 2001

For: STACKABLE LOW DEPTH TRAY

Attorney Docket No.: RPC 0555 PUS

APPEAL BRIEF

Mail Stop Appeal Brief - Patents
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Alexandria, VA 22313-1450

Sir:

This is an appeal brief from the final rejection of claims 1-36 of the Office Action dated October 9, 2003. This application was filed on June 25, 2001.

I. REAL PARTY IN INTEREST

The real party in interest is Rehrig Pacific Company, a corporation organized and existing under the laws of the state of Delaware, and having a place of business at 4010 East 26th Street, Los Angeles, California 90023 as set forth in the assignment recorded in the U.S. Patent and Trademark Office on January 24, 2002 at Reel 012523, Frame 0470.

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I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

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Name of Person Signing

Stephanie M Mansfield
Signature

II. RELATED APPEALS AND INTERFERENCES

There are no appeals or interferences known to Appellant, Appellant's legal representative, or the assignee which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

III. STATUS OF CLAIMS

Claims 1-36 (see Appendix, attached) are pending in this application. Claims 1-36 have been rejected and are the subject of this appeal.

IV. STATUS OF AMENDMENTS

An amendment after final rejection was not filed. Appellant is filing concurrently with this Appeal Brief an "Amendment with Appeal" as provided for in M.P.E.P. §1207 in order to remove issues from appeal and avoid a remand by the Board to consider such issues. A copy of this "Amendment with Appeal" is attached to this brief after the Appendix as Exhibit A.

This "Amendment with Appeal" is made to correct minor errors introduced in claims 1 and 36 in the Amendment dated May 27, 2003. Specifically, the designations of the first and second side walls recited in the claims were inadvertently reversed from the designations set forth in the specification. The amendments provided in the "Amendment with Appeal" do not change the meaning of the claims, but simply restore consistency with the specification. Thus, Appellant anticipates that the "Amendment with Appeal" will be entered in a timely manner. However, the Appendix will not reflect the "Amendment with Appeal" until the Amendment is officially entered.

V. SUMMARY OF THE INVENTION

Bottles, particularly for soft drinks and other beverages, are often stored and transported in trays. As compared with other materials, plastic trays provide advantages such as strength, durability, and reusability. In order to minimize the storage space of trays, reduce their cost and weight, and promote display of the bottles contained therein, many trays are constructed to have shallow side and end walls. Such trays are generally referred to as "low depth" trays in which the side and end walls are lower than the height of the stored bottles, and in which the bottles support the weight of additional trays stacked on top. Current low depth trays are typically designed with a trade-off between strength and weight, wherein material is often removed to decrease weight, thus reducing structural integrity or bottle stability. Also, many low depth trays are inefficient to mold, typically due to the design of the bottle support members which extend upwardly from and within the low side walls. Long mold times render trays susceptible to uneven cooling, which can cause warping and dimensional inaccuracies as well as possibly decreasing the life of the tray.

According to the present invention, a low depth tray (10) for bottles (B) is provided having a first pair of opposed walls (14, 16) and a second pair of opposed walls (18, 20) attached to the first pair of opposed walls (14, 16) to form a wall structure (14, 16, 18, 20) having an interior, where the second pair of opposed walls (18, 20) is shorter than the first pair of opposed walls (14, 16). A base (12) is attached to the wall structure (14, 16, 18, 20), and a plurality of interior divider walls (52) extend upwardly from the interior of the wall structure (14, 16, 18, 20). At least one interior member (38) projects upwardly from the interior of the wall structure (14, 16, 18, 20) and is connected to at least one divider wall (52), where the at least one interior member (38) has a height less than an uppermost height of the first pair of opposed walls (14, 16) and less than the height of bottles (B) loaded in the tray (10). The at least one interior member (38), the base (12), the divider walls (52), and the wall structure (14, 16, 18, 20) define a plurality of bottle retaining pockets (54) which are each sized to receive

a single bottle (B) therein (*see*, for example, p. 7, lines 2-15; p. 8, line 20 - p. 9, line 5; p. 9, line 25 - p. 10, line 5; FIGS. 1 and 4-8).

According to another aspect of the present invention, the low depth tray (10) includes a unitary wall structure (14, 16, 18, 20) having an upper wall portion (32) with a plurality of windows (34) formed therein and a plurality of upwardly projecting pylons (36) disposed between the windows (34). An interior support structure is disposed within the wall structure (14, 16, 18, 20) and connected thereto, the interior support structure including a plurality of divider walls (52) extending upwardly from the base (12) and a plurality of spaced interior columns (38) projecting upwardly from the base (12) and interconnected by the divider walls (52), the interior columns (38) having a height less than the height of the pylons (36) and less than the height of bottles (B) loaded in the tray (10).

Therefore, the claimed invention advantageously provides a tray with interior columns of a height which reduces tray weight and mold time, while still providing sufficient lateral support for loaded bottles and preserving the structural integrity of the tray.

VI. ISSUES

1. Whether claims 1-36 are unpatentable over U.S. Patent No. 5,660,279 issued to Apps et al. ("Apps '279") in view of U.S. Patent No. 6,079,554 issued to Hammett ("Hammett"), U.S. Patent No. 6,047,844 issued to McGrath ("McGrath"), and U.S. Patent No. 2,928,530 issued to Sauey ("Sauey") under 35 U.S.C. § 103(a).

2. Whether claims 1-10, 12-34, and 36 are unpatentable over U.S. Patent No. 6,073,793 issued to Apps et al. ("Apps '793") or U.S. Patent No. 4,978,002 issued to Apps et al. ("Apps '002") in view of Hammett, McGrath, and Sauey under 35 U.S.C. § 103(a).

VII. GROUPING OF CLAIMS

For purposes of this appeal only and based upon the underlying rejections being appealed, Appellant groups the claims as follows:

1. For the 35 U.S.C. § 103(a) rejection over Apps '279 in view of Hammett, McGrath, and Sauey, claims 1-36 do not stand or fall together.

Group A: Claims 1-19 and 36 are directed to a tray where the at least one interior member has a height less than the height of the second pair of opposed walls (side walls) and therefore stand or fall together, but do not stand or fall with Groups B-C.

Group B: Claims 20-31 and 33-35 are directed to a tray where the interior members have a height less than the height of the side wall pylons and therefore stand or fall together, but do not stand or fall with Groups A or C.

Group C: Claim 32 is directed to a tray where the columns have a height of approximately 75% of the height of the pylons and therefore stands or falls alone, and does not stand or fall with Groups A-B.

2. For the 35 U.S.C. § 103(a) rejection over Apps '793 or Apps '002 in view of Hammett, McGrath, and Sauey, claims 1-10, 12-34, and 36 do not stand or fall together.

Group D: Claims 1-10, 12-19, and 36 are directed to a tray where the at least one interior member has a height less than the height of the second pair of opposed walls (side walls) and therefore stand or fall together, but do not stand or fall with Groups E-F.

Group E: Claims 20-31 and 33-34 are directed to a tray where the interior members have a height less than the height of the side wall pylons and therefore stand or fall together, but do not stand or fall with Groups D or F.

Group F: Claim 32 is directed to a tray where the columns have a height of approximately 75% of the height of the pylons and therefore stands or falls alone, and does not stand or fall with Groups D-E.

VIII. ARGUMENT

A. Rejection of Claims 1-36 Under 35 U.S.C. § 103(a) Over Apps '279 in view of Hammett, McGrath, and Sauey

Appellant respectfully traverses the Examiner's position that it would be obvious to combine the teachings of Apps '279 with Hammett, McGrath, or Sauey in order to provide the claimed invention. Appellant further maintains that even if such a combination could be made, the claimed invention is not provided, for the reasons set forth below.

Specifically, the Examiner admits that Apps '279 discloses interior columns that are the same height as the wall structure, but asserts that Hammett, McGrath, and Sauey disclose interior columns of shorter height than the wall structure (*Final Office Action dated October 9, 2003; Page 2*). This rejection is in error, as the Examiner has failed to establish a *prima facie* case of obviousness. M.P.E.P. §§ 2142-2143. The suggested combination does not teach the invention. Further, there is no motivation or suggestion to combine Apps '279 with Hammett, McGrath, or Sauey. Finally, none of the cited references recognize the problem solved by Appellant's claimed invention.

1. There Is No Motivation Or Suggestion To Combine The Cited References

Appellant claims a bottle case with a plurality of bottle retaining pockets with interior walls and an interior column member which is of lesser height than the side walls (Group A: independent claims 1 and 36) or side wall pylons (Group B: independent claims 20, 34, and 35). Primary reference Apps '279 is directed to a bottle case with pockets for supporting individual bottles. Apps '279 discloses columns which are equal in height to the wall structure. The Examiner attempts to overcome this important difference by reliance on three secondary references, one directed to a bottle case without bottle pockets, another to a can case without interior walls or columns, and the last to a non-analogous shotgun shell box.

With reference first to McGrath, McGrath is directed to bottle cases where the interior areas carry bottles without interior pockets. The primary embodiments of McGrath disclose a completely open interior for carrying multiple bottles in abutment with each other. The Examiner relies on an embodiment with a partition dividing the interior into two multiple bottle supporting areas. The partition, bottle support surface 46, has a top edge 51 which is the same height as the side walls 27 (*see* McGrath, FIGS. 25 and 27). Thus, McGrath does not disclose or suggest an interior member having a height less than an uppermost height or greatest height of the side walls as recited by Appellant in claims 1 and 36 (Group A). Likewise, McGrath does not disclose or suggest "the interior columns having a height less than the height of the pylons" as recited in claims 20, 34, and 35 (Group B), wherein the pylons are defined as part of the wall structure.

Although McGrath's handle *on the end walls* may be slightly higher than the partition as shown in FIGS. 25 and 27, it is equal in height to the uppermost height of the remainder of the wall structure. No suggestion is found in McGrath for combining its teachings with Apps '279. Appellant respectfully disagrees with the Examiner's assertion that "it would have been obvious to apply the end wall teaching of McGrath to add handles to the side wall and to increase the height of the side walls to be above the interior member height *in order to enhance the grasping of the side wall*, thereby enhancing handling of the tray when access to the end wall in inconvenient" (*Final Office Action dated October 9, 2003; Pages 2-3, emphasis added*). The rationale of the Examiner for combining the teachings, i.e., the adding of side handles, is not suggested by the prior art and appears to be at best improper hindsight. Even if the Examiner's desire for side handles were adopted, there is no reason it would be obvious to add the negligible height difference of the end wall handle to the side wall. Such additional height is clearly not sufficient to provide any measurable benefit such as a reduction in container weight as in Appellant's invention. McGrath fails to provide any disclosure as to the reason for or advantages of the slight height difference and why it should be extended to the side wall. McGrath does not disclose or suggest the lower height of interior columns

compared with the uppermost height of the side walls (Group A) or the height of the side wall pylons (Group B), and thus McGrath and Apps '279 cannot be properly combined to achieve Appellant's claimed invention.

Turning now to Hammett, Hammett discloses a *can tray* with no columns or interior walls. The Examiner references in his rejection spacer members 21 and 21A designed to lie between adjacent beverage cans loaded in the tray (*see* Hammett, FIG. 1). The spacer members function "to prevent dislocation and sliding movement of the cans across the floor of the tray" (*see* Hammett, col. 6, lines 4-12). The spacers also are said to provide greater stability to a stack of *empty* trays (*see* Hammett, col. 5, lines 58-60). The spacers are not columns as claimed by Appellant. The Hammett spacers are not of sufficient height to provide lateral support to beverage cans, and certainly not to bottles (especially 2-liter bottles). There is no teaching in Hammett as to why one would add its spacers to the Apps '279 reference.

The Examiner later attempts to use the non-relevance of McGrath and Hammett to argue for a hypothetical column stating:

> The difference in height of applicant's invention seems insignificant and not critical at all. The examiner doesn't think the minute difference of applicant's invention amounts to anything much and certainly not something substantial enough to warrant a patent. ... Would not the separate teaching of one interior column being too big (McGrath) and another interior column being too small (Hammett) amount to a combined teaching that anywhere within the range from big to small is obvious?
>
> (*Final Office Action dated October 9, 2003; Page 5*)

Appellant respectfully disagrees, and asserts that the combined teaching of a column that is only slightly lower than the *end* wall for no apparent reason (McGrath) and a spacer so short it could not even provide lateral support to a beverage can (Hammett) does not render

Appellant's claimed invention obvious. The height of Appellant's interior columns has been selected to reduce tray weight without sacrificing lateral support for bottles, an objective which is clearly unrecognized by McGrath, Hammett, or any of the other cited references. Accordingly, there is no motivation or suggestion to combine Hammett with Apps '279 to achieve Appellant's invention as claimed in Group A (claims 1 and 36) or Group B (claims 20, 34, and 35).

Lastly, the secondary reference Sauey discloses a non-analogous shotgun shell box which includes a cover 12 and holds cylindrical shotgun shells below the top edge of side walls 22, 24 within an internal structure including dividing walls 18, 20 and end portions 34 (*see* Sauey, col. 1, lines 47-49; col. 2, lines 16-20; FIG. 1). One skilled in the art of bottle cases, where one is seeking to develop a case for holding bottles securely when cases are stacked on the bottles of a subjacent case, would not turn to the shotgun shell box art, where one seeks to prevent the shotgun shell from being impacted.

Ignoring the inappropriateness of the art, the Examiner states:

> Sauey holds objects in a lateral array of rows and columns with sidewalls that are taller than the interior columns and it teaches that the objects (shotgun shells) are held so tightly, such as the objects A, that it would be impossible for them to tip or fall over.
>
> (*Final Office Action dated October 9, 2003; Page 5*)

The tightness with which Sauey's objects are held is immaterial, as Sauey addresses a different art entirely. Sauey does not disclose or suggest a low depth tray as defined in the art to have side and end walls which are lower than the height of the stored bottles, but rather discloses a box which completely contains its stored product and which, due to its cover, *prohibits* the storage of a product which extends above the height of the side wall. As such, there is no

motivation to combine Sauey and Apps '279 to achieve Appellant's invention as claimed in either claims 1 and 36 (Group A) or claims 20, 34, and 35 (Group B).

2. The Cited References Fail To Recognize The Problem Or Solution Achieved By The Claimed Invention

Appellant's claimed invention advantageously provides interior columns of a height less than the side walls (Group A) or wall pylons (Group B), wherein Appellant's smaller interior column height is chosen to measurably reduce the weight of the tray, as well as corresponding mold and cooling times, while still providing sufficient lateral support and stability for bottles loaded in the tray (*see* p. 8, line 20 - p. 9, line 5). Neither Hammett, McGrath, nor Sauey recognize the problem solved by Appellant's invention.

More specifically, McGrath does not provide any disclosure or suggestion that the apparent difference in the column height below the handle is intended to provide the benefit of reduction of tray weight and mold times. Likewise, Hammett does not provide any disclosure or suggestion that his spacer member height is intended to provide lateral support to cans loaded in the tray while reducing tray weight, nor would the spacer members be capable of providing lateral support to bottles. Still further, the height of Sauey's end portions and dividing walls is selected not to reduce tray weight while maintaining lateral support for bottles having a height greater than the wall structure as in a low depth bottle tray like Appellant's, but rather to coincide with the height of the shotgun shells contained completely therein, providing "finger space around the top of the cylindrical objects to facilitate insertion and removal from the compartment 26" (*see* Sauey, col. 2, lines 16-22).

For all of the foregoing reasons, independent claims 1 and 36 (Group A) and claims 20, 34, and 35 (Group B), along with their corresponding dependent claims, are patentably distinguishable over the combination of Apps '279 with any or all of the Hammett, McGrath, and Sauey references.

Because the claims of Group A recite that the at least one interior member has a height less than the height of the second pair of opposed walls, which is not recited by the claims of Group B and which is not shown in the prior art, the claims of Group A are patentable independently of the claims of Group B. Because the claims of Group B recite that the interior members have a height less than the height of the side wall pylons, which is not recited by the claims of Group A and which is not shown in the prior art, the claims of Group B are patentable independently of the claims of Group A.

3. **Dependent claim 32**

Appellant further submits that the Examiner's characterization of the cited references is incorrect with respect to the patentability of claim 32 (Group C). Claim 32 recites that "the columns have a height of approximately 75% of the height of the pylons," further quantifying the height difference between the interior columns and the side wall structure. For the reasons explained above, this feature is not disclosed or suggested by any of the above-cited references. Accordingly, claim 32 is patentably distinguishable over these references.

Since Group C recites that the columns have a height of approximately 75% of the height of the pylons, which is not recited by Groups A-B and which is not shown in the prior art, Group C is patentable independently of Groups A-B.

B. **Rejection of Claims 1-10, 12-34, and 36 Under 35 U.S.C. § 103(a) Over Apps '793 or Apps '002 in view of Hammett, McGrath, and Sauey**

Appellant respectfully traverses the Examiner's position that it would be obvious to combine the teachings of Apps '793 or Apps '002 with Hammett, McGrath, or Sauey in order to provide the claimed invention. Specifically, the Examiner again admits that Apps '793 and Apps '002 both disclose interior columns that are the same height as the wall

structure, but asserts that Hammett, McGrath, and Sauey disclose interior columns of shorter height than the wall structure (*Final Office Action dated October 9, 2003; Page 3*).

This rejection is in error. As with Apps '279, Apps' 793 and Apps '002 are each directed to bottle cases with pockets for supporting individual bottles, where the columns are equal in height to the wall structure. For the reasons explained above with reference to the rejection over Apps '279, Appellant asserts that there is no motivation or suggestion to combine Apps '793 or Apps '002 with Hammett, McGrath, or Sauey, and furthermore that none of the cited references recognize the problem solved by Appellant's claimed invention.

Accordingly, independent claims 1 and 36 (Group D) and claims 20 and 34 (Group E), along with their corresponding dependent claims, are patentably distinguishable over Apps '793 or Apps '002 in combination with any or all of Hammett, McGrath, and Sauey.

Because the claims of Group D recite that the at least one interior member has a height less than the height of the second pair of opposed walls, which is not recited by the claims of Group E and which is not shown in the prior art, the claims of Group D are patentable independently of the claims of Group E. Because the claims of Group E recite that the interior members have a height less than the height of the side wall pylons, which is not recited by the claims of Group D and which is not shown in the prior art, the claims of Group E are patentable independently of the claims of Group D.

<u>Dependent claim 32</u>

Appellant further submits that the Examiner's characterization of Apps '793, Apps '002, McGrath, Hammett, and Sauey is incorrect with respect to the patentability of claim 32 (Group F). Claim 32 recites that "the columns have a height of approximately 75% of the height of the pylons," further quantifying the height difference between the interior

columns and the side wall structure. For the reasons explained above with reference to the rejection over Apps '279, this feature is not disclosed or suggested by any of the above-cited references. Accordingly, claim 32 is patentably distinguishable over the cited references.

Since Group F recites that the columns have a height of approximately 75% of the height of the pylons, which is not recited by Groups D-E and which is not shown in the prior art, Group F is patentable independently of Groups D-E.

IX. SUMMARY

The Examiner's understanding and characterization of the references are submitted to be incorrect. The rejections of claims 1-36 under 35 U.S.C. § 103(a) are in error. For the reasons discussed above, it is thus respectfully requested that these rejections be reversed.

The fee of **$330.00** as applicable under the provisions of 37 C.F.R. § 1.17(c) is enclosed. Please charge any additional fee or credit any overpayment in connection with this filing to our Deposit Account No. 02-3978.

Respectfully submitted,
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Enclosures: Appendix
Exhibit A (Copy of "Amendment with Appeal")

X. APPENDIX - CLAIMS ON APPEAL

1. A low depth tray for bottles, comprising:

a first pair of opposed walls;

a second pair of opposed walls attached to the first pair of opposed walls to form a wall structure having an interior, the second pair of opposed walls longer than the first pair of opposed walls;

a base attached to the wall structure;

a plurality of interior divider walls extending upwardly from the interior of the wall structure; and

at least one interior member projecting upwardly from the interior of the wall structure and connected to at least one divider wall, the at least one interior member having a height less than an uppermost height of the second pair of opposed walls and less than the height of bottles loaded in the tray,

wherein the at least one interior member, the base, the divider walls, and the wall structure define a plurality of bottle retaining pockets which are each sized to receive a single bottle therein.

2. The tray according to claim 1, wherein the wall structure includes an upper wall portion having a plurality of upwardly projecting wall members.

3. The tray according to claim 2, wherein the upper wall portion includes a plurality of windows formed therein between the wall members.

4. The tray according to claim 2, wherein the wall members and the at least one interior member are substantially hollow.

5. The tray according to claim 2, wherein each wall member includes at least one curved surface contoured to the shape of bottles loaded in the tray, and wherein the at least

one interior member is generally octagonal and includes curved surfaces disposed on alternating sides thereof which are contoured to the shape of bottles loaded in the tray.

6. The tray according to claim 5, wherein the wall members and the at least one interior member each include an opening adjacent the base on the curved surfaces thereof.

7. The tray according to claim 1, wherein the wall structure has a double-walled construction and includes a lower wall portion having a substantially flat outer wall and a generally curved inner wall.

8. The tray according to claim 2, wherein the plurality of wall members includes side wall members disposed along the first pair of opposed walls and four corner members disposed at the intersection of adjacent walls.

9. The tray according to claim 8, wherein the side wall members each include a downwardly extending recess formed therein.

10. The tray according to claim 9, wherein the at least one interior member includes a downwardly extending transverse recess substantially aligned with the recesses in adjacent side wall members, and a downwardly extending longitudinal recess extending along a longitudinal axis of the tray, wherein the depth of the interior member recesses is substantially equal to the depth of the side wall member recesses.

11. The tray according to claim 10, wherein the base has a lower surface which includes a plurality of side wall member support ribs extending upwardly from the lower surface to join with each side wall member recess, and a plurality of column support ribs extending upwardly from the lower surface to join with the transverse and longitudinal column recesses.

12. The tray according to claim 8, wherein each of the second pair of opposed walls includes a handle structure, each handle structure including an upper bar extending between adjacent corner members, a lower support member connected to the corner members and the base, and a slot defined therebetween, wherein a user's fingers can be inserted through the slot and under the upper bar in a palm-up orientation, and over the upper bar and through the slot in palm-down orientation.

13. The tray according to claim 12, wherein the upper bar and the corner members are substantially equal in height, and the upper bar is outwardly offset from the corner members.

14. The tray according to claim 12, wherein the lower support member includes a generally horizontal portion which is connected to the corner members and extends inwardly into the tray, and a generally vertical portion which extends downwardly from the horizontal portion to join with the base.

15. The tray according to claim 14, wherein the horizontal portion includes curved surfaces which are contoured to the shape of bottles loaded in the tray and form part of bottle retaining pockets located adjacent the second pair of opposed walls.

16. The tray according to claim 1, wherein the base includes an upper surface including a plurality of spaced bottle support areas joined to the first pair of opposed walls, wherein each bottle support area is generally circular and forms part of one bottle retaining pocket.

17. The tray according to claim 16, wherein the bottle support areas include apertures formed therein.

18. The tray according to claim 1, wherein the base includes a lower surface having upwardly recessed closure receiving areas configured to receive and retain bottle closures of a lower like tray therein.

19. The tray according to claim 1, wherein the bottle retaining pockets are sized to receive two-liter bottles.

20. A low depth tray for storing and transporting bottles, comprising:

a base;

a unitary wall structure extending upwardly from the base, the wall structure having an upper wall portion including a plurality of windows formed therein and a plurality of upwardly projecting pylons disposed between the windows; and

an interior support structure disposed within the wall structure and connected thereto, the interior support structure including a plurality of divider walls extending upwardly from the base and a plurality of spaced interior columns projecting upwardly from the base and interconnected by the divider walls, the interior columns having a height less than the height of the pylons and less than the height of bottles loaded in the tray;

wherein the interior support structure, the wall structure, and the base together define a plurality of bottle retaining pockets, and the pylons and the interior columns each include at least one curved surface adapted to contact bottles received in the bottle retaining pockets.

21. The tray according to claim 20, wherein the pylons and columns are substantially hollow.

22. The tray according to claim 20, wherein outer faces of the pylons are tapered from bottom to top and are angled slightly toward the interior of the tray.

23. The tray according to claim 20, wherein the interior columns are generally octagonal and include curved surfaces disposed on alternating sides thereof which are contoured to the shape of bottles loaded in the tray.

24. The tray according to claim 20, wherein the wall structure has a double-walled construction and includes a lower wall portion having a substantially flat outer wall and a generally curved inner wall which is adapted to contact bottles received in the bottle retaining pockets.

25. The tray according to claim 20, wherein the wall structure includes a pair of opposed side walls joined to a pair of opposed end walls, and the plurality of pylons includes wall pylons disposed along the side walls and four corner pylons disposed at the intersection of adjacent side walls and end walls.

26. The tray according to claim 20, wherein the wall pylons each include a downwardly extending recess formed therein, and the interior columns each include a downwardly extending transverse recess substantially aligned with the recesses in adjacent wall pylons, and a downwardly extending longitudinal recess extending along a longitudinal axis of the tray, wherein the depth of the column recesses is substantially equal to the depth of the pylon recesses.

27. The tray according to claim 26, wherein the base has a lower surface which includes a plurality of pylon support ribs extending upwardly from the lower surface to join with each pylon recess, and a plurality of column support ribs extending upwardly from the lower surface to join with the transverse and longitudinal column recesses.

28. The tray according to claim 25, wherein each of the end walls includes a handle structure, each handle structure including an upper bar extending between adjacent

corner pylons, a lower support member connected to the corner pylons and the base, and a slot defined therebetween, wherein a user's fingers can be inserted through the slot and under the upper bar in a palm-up orientation, and over the upper bar and through the slot in palm-down orientation.

29. The tray according to claim 20, wherein the base includes an upper surface including a plurality of spaced bottle support areas joined to the wall structure and the divider walls, wherein each bottle support area is generally circular and forms part of one bottle retaining pocket.

30. The tray according to claim 20, wherein the base includes a lower surface having upwardly recessed closure receiving areas, the receiving areas each having a downwardly extending, generally cloverleaf-shaped periphery configured to receive and retain bottle closures therein.

31. The tray according to claim 20, wherein the bottle retaining pockets are sized to receive two-liter bottles.

32. The tray according to claim 20, wherein the columns have a height of approximately 75% of the height of the pylons.

33. The tray according to claim 20, wherein the pylons extend a distance above the base of approximately 40% of the height of bottles loaded in the tray.

34. A plastic low depth tray for bottles, comprising:

a base having an upper surface and a lower surface, the upper surface including a plurality of spaced, generally circular bottle support areas;

a pair of opposed end walls extending upwardly from the base, each end wall including a handle structure formed therein;

a pair of opposed side walls extending upwardly from the base and integrally joined with the pair of opposed end walls, wherein the side and end walls are of double-walled construction and include a lower wall portion and an upper wall portion, the lower wall portion having a substantially flat outer wall and a generally curved inner wall, and the upper wall portion having a plurality of windows formed therein and a plurality of spaced pylons projecting upwardly from the lower wall portion between the windows;

a plurality of spaced upwardly projecting interior columns disposed along a longitudinal axis of the tray and having a height less than the height of the pylons and less than the height of bottles loaded in the tray; and

a plurality of divider walls extending upwardly from the base and interconnecting the pylons and interior columns,

wherein the base, side walls, end walls, interior columns, and divider walls together define a plurality of bottle retaining pockets, each pocket including one bottle support area for supporting a base of each bottle and at least one pylon, column, and divider wall for providing lateral support for each bottle.

35. A stackable low depth tray for storing and transporting bottles, comprising:

a base;

a pair of opposed end walls extending upwardly from the base;

a pair of opposed side walls extending upwardly from the base and integrally joined with the pair of opposed end walls to form a wall structure, the side walls including a plurality of spaced, upwardly extending hollow wall pylons, each of the wall pylons having a downwardly extending recess formed therein which is associated with a corresponding pylon support rib;

a plurality of spaced, upwardly extending hollow interior columns disposed within the wall structure, the columns including downwardly extending transverse recesses

substantially aligned with the recesses of adjacent wall pylons and downwardly extending longitudinal recesses extending along a longitudinal axis of the tray, each transverse recess and each longitudinal recess associated with a column support rib, wherein the interior columns have a height less than the height of the pylons and less than the height of bottles loaded in the tray; and

a plurality of interior divider walls which join adjacent pylons and columns to form, in combination with the base and the wall structure, a plurality of bottle retaining pockets,

wherein when the tray is empty and is disposed in a stacked configuration with a like upper tray, the pylon recesses of the tray are adapted to receive the corresponding pylon ribs of the like upper tray and the column recesses of the tray are adapted to receive the corresponding column ribs of the like upper tray, such that at least a portion of the pylons and columns of the tray are received in the pylons and columns, respectively, of the like upper tray.

36. A low depth tray for bottles, comprising:

a base;

a first pair of opposed walls each having a handle;

a second pair of opposed walls attached to the first pair of opposed walls to form a wall structure;

a plurality of interior divider walls extending upwardly from the base within the wall structure; and

at least one interior member projecting upwardly within the wall structure and connected to at least one divider wall, the at least one interior member having a height greater than the height of the divider walls but less than a greatest height of the second pair of opposed walls and less than the height of bottles loaded in the tray, wherein the at least one interior member, the base, the divider walls, and the wall structure together define a plurality of bottle retaining pockets.

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